

DIRECTIVE

WORKFORCE INVESTMENT ACT

Number: WIAD04-9

Date: October 14, 2004
69:43:lh:8344

TO: WORKFORCE DEVELOPMENT COMMUNITY

SUBJECT: DISLOCATED WORKER 25 PERCENT FUNDING POLICY

EXECUTIVE SUMMARY:

Purpose:

The purpose of this directive is to provide the workforce development community the Dislocated Worker 25 Percent funding policy adopted by the California Workforce Investment Board (CWIB) on May 18, 2004.

This directive finalizes Workforce Investment Act (WIA) Draft Directive WIADD-79 (September 3, 2004). There were several comments in response to the draft directive. The main comment, provided by several individuals, expressed concern about the treatment of funds carried into Program Year (PY) 2004-05 from prior years. They objected to the State's use of unspent funds, as of June 30, 2004, to finance part of the Rapid Response formula allocation for PY 2004-05.

We reviewed the comments and found that the objection to the proposed use of carry-in funds had particular merit, due to a lack of clarity as to how the carry-in funds would be treated. Specifically, using all of these carried-in funds as a down payment on the PY 2004-05 formula allocations seemed to conflict with WIA Draft Directive WIADD-63, (December 9, 2003). In that draft directive, we indicated that PY 2003-04 Rapid Response funds would be available through September 2004, due to the State's expected inability to provide bridge funding for PY 2004-05. This caused Local Workforce Investment Areas (LWIA) to plan to spend some of their PY 2003-04 funds during the July through September 2004 quarter. The commentators stated that treating these "fifth-quarter" funds as carry-in that would be subtracted from the PY 2004-05 allocation would be unfair. We agree. Consequently, contrary to the discussion of bridge and carry-in funding in WIADD-79, the State will recapture only those carried-in funds that remain unspent at the end of September 2004.

The short timeframe for comments on the draft directive, which we regret, did not prevent the various comments from receiving full consideration. Our intent was to finalize this directive without further delay.

Scope:

This directive applies to LWIAs and other recipients of WIA Dislocated Worker 25 Percent funds.

Effective Date:

This directive is effective on the date of its issuance.

REFERENCES:

- WIA Sections 101(9) and (38), 133(a)(2), 134(a)(2)(A)
- Title 20 of the Code of Federal Regulations (20 CFR), Part 665
- Department of Labor (DOL) Training and Employment Guidance Letters (TEGL) 7-99, 14-00, and 14-00, Change 1
- WIA Information Bulletin WIAB03-80, Subject: Rapid Response Policy (April 20, 2004)
- WIA Information Bulletin WIAB03-85, Subject: Proposed Dislocated Worker 25 Percent Funding Policy (May 14, 2004)

STATE-IMPOSED REQUIREMENTS:

This directive consists entirely of State-imposed requirements.

FILING INSTRUCTIONS:

This directive finalizes WIA Draft Directive WIADD-79, issued for comment on September 3, 2004. Retain this directive until further notice.

BACKGROUND:

The California Workforce Investment Board (CWIB) established the Dislocated Worker 25 Percent Workgroup (Workgroup) to recommend policy that guides and defines a workforce system that provides effective Rapid Response and ensures timely Additional Assistance to local areas to serve dislocated workers in need.

The initial draft policies and implementation strategies resulting from Workgroup meetings were provided in WIA Information Bulletin [WIAB03-80](#), to allow all interested parties to comment on the Workgroup's recommendations. A compilation of the comments received in response to WIAB03-80 and a summary of those comments were provided to the Workgroup, which resulted in the Workgroup's final recommendations to the CWIB as provided in WIA Information Bulletin [WIAB03-85](#). Additionally, WIAB03-85 provided the Workgroup's agreed upon recommendations for a policy framework for California's Rapid Response system and the following reasons that initiated the need to develop the new policy and procedures:

- To ensure that every WIA has at least a minimum level of capacity to support Rapid Response.
- To implement a more accurate method, based on more timely information, of allocating resources so that funding follows changing needs.
- To allow more flexibility—with responsibility for implementation and accountability for results—at the local level for blended approaches to Rapid Response, and to

remove administrative barriers that create unnecessary separations between “required” and “allowable” activities in the allocation and use of funds.

- To improve the timeliness of resource allocations to local areas by allocating the maximum percentage of resources at the beginning of the year.
- To continue to maintain “Additional Assistance” funding for layoffs occurring during the year that require additional resources.
- To ensure the funding of projects that support the State’s priorities.

POLICY AND PROCEDURES:

On May 18, 2004, the CWIB adopted a Dislocated Worker 25 Percent Funding policy, which includes the following components and related recommendations:

1. Dislocated Worker 25 Percent Set-aside

The State will set aside 25 percent of the State’s WIA dislocated worker funding for California’s Rapid Response System and for Additional Assistance to dislocated workers in the local areas. One-half of the Dislocated Worker 25 Percent set-aside (i.e., 12.5 percent of the State’s total dislocated worker allocation) is reserved for Rapid Response activities and one-half (i.e., 12.5 percent) is reserved for Additional Assistance to local areas, as permitted in WIA.

2. Rapid Response Funding

The Rapid Response set-aside funds will be distributed based on a three-part formula and a competitive solicitation as described below:

Formula Allocation:

- Baseline funding allocated equally among local areas to ensure, at a minimum, that some capacity exists in each local area for the coordination and conduct of Rapid Response activities. Allocations to local areas comprised of more than one county will include an additional allocation of \$50,000 for each additional county. Of the Rapid Response set-aside funds, 30 percent will be reserved for this Baseline funding (see Attachment 1 for allocations).
- Layoff-Based funding for LWIAs that serve regions where significant numbers of dislocation events occur. This allocation will be based on quantitative layoff data. Funds will be allocated to local areas in proportion to the number of workers receiving Rapid Response services in response to layoffs reported to the State. This methodology will ensure California meets WIA requirements to provide services to assist groups of workers affected by mass layoffs, permanent business closures, and natural or other disasters. Of the Rapid Response set-aside funds, 45 percent will be reserved for this Layoff-Based funding (see Attachment 1 for allocations).
- Hold-Harmless funding to minimize funding losses from year-to-year. A portion of the Rapid Response set-aside will be used to ensure that no local area receives less than 75 percent of their prior-year share of statewide funds distributed for Baseline and Layoff-based activities. For PY 2004-05, 11 percent

of the Rapid Response set-aside will be required for this purpose. This policy also limits any local area's year-over funding increase to 100 percent of their prior-year allocation. The allocations shown in Attachment 1 reflect Hold Harmless considerations.

Competitive Solicitation:

- Competitive-Priorities funding will be awarded to support allowable Rapid Response projects proposed by LWIAs that submit applications according to the Rapid Response priorities recommended by the CWIB and adopted by the Governor (see Attachment 2). The funds available for these projects will be the balance remaining in the Rapid Response set-aside after formula allocations described above are completed, which will be 14 percent of the set-aside in PY 2004-05.

NOTE: The applications process for Competitive-Priorities funding is being provided in a separate directive.

3. Additional Assistance Funding

The funds reserved for Dislocated Worker Additional Assistance (12.5 percent of the State's total dislocated worker funds) will be distributed based on the criteria outlined in Attachment 3.

4. Definition of the Role of the Rapid Response System

The California Rapid Response System's role is to support the state's economy and local economies by:

- Assisting workers to quickly return to productive positions in the labor force;
- Assisting employers to explore alternatives to layoffs through human resource solutions;
- Reducing the economic and social burdens that unemployment adds to employers, workers, and the community; and
- Providing local communities, workforce investment partners, employers, and workers with timely and pertinent information to anticipate and profit from economic development opportunities.

REPORTING:

Baseline, Layoff-Based, and Hold-Harmless Rapid Response funds will be combined into one Grant Code (540 or 541) in each LWIA's master subgrant and may be spent on required and/or allowable activities after July 1, 2004. Consequently, LWIAs will combine their reports of expenditure of these funds. They will not need to differentiate between the specific funding sources (Baseline, Layoff-Based, and Hold Harmless) that were used to defray any specific cost. However, reports will need to specify whether expenditures were for required or allowable Rapid Response activities. Refer to WIA Draft Directive [WIADD-83](#), Quarterly and Monthly Financial Reporting Requirements, and WIA Information Bulletin [WIAB04-50](#), Financial Reporting for September 30, 2004 –

Due October 20, 2004. Required Rapid Response activities are defined in 20 CFR 665.310. Allowable Rapid Response activities are defined in 20 CFR 665.320. Examples of required, allowable and prohibited Rapid Response activities are provided in Attachment 4. On-file documentation of expenditures as required or allowable will be necessary for monitoring and auditing purposes.

The cost of prohibited activities will not be reimbursed by the State under the Rapid Response Grant Code. These activities must be paid for with other WIA funds or with funds from outside the WIA grant.

FUNDING AVAILABILITY:

The State will allow local areas to spend non-bridge PY 2003-04 or prior funds until September 30, 2004, at which time remaining funds will be recaptured. In addition, the State will provide funding for PY 2004-05 Rapid Response in the amount of the formula allocation with hold harmless. These additional funds are being provided in three installments: 1) bridge funds were provided in June 2004; 2) a second increment of funding was provided in September 2004; and 3) a final award to bring the balance up to the formula allocation amount will be provided no later than November 2004 (see Attachment 1).

The ending dates of the Rapid Response subgrants for PY 2003-04 and PY 2004-05 (grant codes 540 and 541) will be modified to change the ending dates to June 30, 2005.

ACTION:

Make appropriate policy, administrative, and fiscal staff aware of this directive.

INQUIRIES:

If you have any questions, please contact your [Regional Advisor](#) at (916) 653-6347.

/S/ BOB HERMSMEIER
Chief
Workforce Investment Division

Attachments

Formula-Based Rapid Response Funding for Program Year 2004-05

	Baseline Funding	Dislocation- Based Funding	Total PY 04-05 Formula RR Funding w/o Hold Harmless	Total PY 04-05 Formula RR Funding with Hold Harmless	Funding Distributions		
					Installment A - June 2004 Distribution of Bridge Funds for PY 04-05	Installment B - September 2004 Distribution of PY 04-05 Funds	Installment C - Final PY 04-05 Distribution - No Later than November
Alameda County	\$ 115,854	\$ 619,215	\$ 735,069	\$ 735,069	\$ 99,123	\$ 635,946	\$ -
Anaheim	\$ 115,854	\$ 103,800	\$ 219,654	\$ 219,654	\$ 37,490	\$ 169,734	\$ 12,429
Carson/Lomita/Torrance	\$ 115,854	\$ 145,242	\$ 261,096	\$ 488,509	\$ 162,792	\$ 321,950	\$ 3,767
Contra Costa	\$ 115,854	\$ 136,140	\$ 251,994	\$ 251,994	\$ 68,922	\$ 63,227	\$ 119,845
Foothill	\$ 115,854	\$ 113,289	\$ 229,143	\$ 252,036	\$ 69,303	\$ 139,004	\$ 43,729
Fresno City/County	\$ 115,854	\$ 171,579	\$ 287,433	\$ 620,336	\$ 206,723	\$ 369,204	\$ 44,409
Golden Sierra	\$ 315,854	\$ 205,178	\$ 521,032	\$ 275,340	\$ 34,408	\$ 186,886	\$ 54,046
Humboldt	\$ 115,854	\$ 37,763	\$ 153,617	\$ 153,617	\$ 44,221	\$ 109,396	\$ -
Imperial	\$ 115,854	\$ -	\$ 115,854	\$ 100,000	\$ 12,497	\$ 37,503	\$ 50,000
Kern/Inyo/Mono	\$ 215,854	\$ 108,254	\$ 324,108	\$ 324,108	\$ 61,689	\$ 205,734	\$ 56,684
Kings	\$ 115,854	\$ 31,663	\$ 147,517	\$ 147,517	\$ 14,760	\$ 132,757	\$ -
Long Beach	\$ 115,854	\$ 173,516	\$ 289,370	\$ 588,842	\$ 196,228	\$ 392,614	\$ -
Los Angeles City	\$ 115,854	\$ 710,330	\$ 826,184	\$ 826,184	\$ 239,014	\$ 504,268	\$ 82,902
Los Angeles County	\$ 115,854	\$ 716,333	\$ 832,187	\$ 1,316,034	\$ 438,559	\$ -	\$ 877,475
Madera	\$ 115,854	\$ 9,683	\$ 125,537	\$ 125,537	\$ 39,203	\$ -	\$ 86,334
Marin	\$ 115,854	\$ 24,110	\$ 139,964	\$ 139,964	\$ 4,760	\$ 115,561	\$ 19,643
Mendocino	\$ 115,854	\$ 26,725	\$ 142,579	\$ 185,855	\$ 49,548	\$ 117,287	\$ 19,020
Merced	\$ 115,854	\$ 101,669	\$ 217,523	\$ 281,651	\$ 93,858	\$ 91,901	\$ 95,892
Monterey	\$ 115,854	\$ 69,716	\$ 185,570	\$ 185,570	\$ 26,699	\$ 110,062	\$ 48,809
Mother Lode	\$ 265,854	\$ 17,913	\$ 283,767	\$ 412,500	\$ 137,463	\$ 121,918	\$ 153,119
Napa	\$ 115,854	\$ 98,861	\$ 214,715	\$ 214,715	\$ 45,311	\$ 140,791	\$ 28,613
NoRTEC	\$ 515,854	\$ 116,484	\$ 632,338	\$ 656,687	\$ 99,619	\$ 557,068	\$ -
North Central Counties	\$ 315,854	\$ 34,083	\$ 349,937	\$ 631,500	\$ 204,694	\$ 404,115	\$ 22,691
NOVA	\$ 115,854	\$ 998,780	\$ 1,114,634	\$ 975,700	\$ 116,762	\$ 824,220	\$ 34,718
Oakland	\$ 115,854	\$ 310,430	\$ 426,284	\$ 426,284	\$ 82,580	\$ 232,317	\$ 111,388
Orange County	\$ 115,854	\$ 629,672	\$ 745,526	\$ 862,907	\$ 133,214	\$ 402,543	\$ 327,150
Richmond	\$ 115,854	\$ 12,007	\$ 127,861	\$ 127,861	\$ 20,097	\$ 94,347	\$ 13,416
Riverside County	\$ 115,854	\$ 217,960	\$ 333,814	\$ 446,052	\$ 148,644	\$ 259,103	\$ 38,305
Sacramento	\$ 115,854	\$ 196,270	\$ 312,124	\$ 769,924	\$ 256,572	\$ 396,990	\$ 116,362
San Benito	\$ 115,854	\$ -	\$ 115,854	\$ 50,810	\$ 6,350	\$ 44,460	\$ -
San Bernardino City	\$ 115,854	\$ 17,816	\$ 133,670	\$ 133,670	\$ 36,375	\$ 97,295	\$ -
San Bernardino County	\$ 115,854	\$ 380,631	\$ 496,485	\$ 496,485	\$ 116,604	\$ 259,171	\$ 120,709
San Diego	\$ 115,854	\$ 784,500	\$ 900,354	\$ 900,354	\$ 282,014	\$ -	\$ 618,340
San Francisco	\$ 115,854	\$ 341,222	\$ 457,076	\$ 457,076	\$ 81,228	\$ 321,691	\$ 54,157
San Joaquin	\$ 115,854	\$ 340,641	\$ 456,495	\$ 493,409	\$ 152,762	\$ 240,186	\$ 100,461
San Jose/Silicon Valley	\$ 115,854	\$ 418,006	\$ 533,860	\$ 626,082	\$ 174,796	\$ 261,135	\$ 190,151
San Luis Obispo	\$ 115,854	\$ 63,616	\$ 179,470	\$ 179,470	\$ 24,175	\$ 155,295	\$ -
San Mateo County	\$ 115,854	\$ 341,125	\$ 456,979	\$ 335,206	\$ 41,889	\$ 248,907	\$ 44,410
Santa Ana	\$ 115,854	\$ 108,544	\$ 224,398	\$ 159,064	\$ 19,878	\$ 139,186	\$ -
Santa Barbara	\$ 115,854	\$ 132,364	\$ 248,218	\$ 248,218	\$ 73,867	\$ -	\$ 174,351
Santa Cruz	\$ 115,854	\$ 113,385	\$ 229,239	\$ 229,239	\$ 40,096	\$ 189,143	\$ -
SELACO	\$ 115,854	\$ 56,644	\$ 172,498	\$ 172,498	\$ 47,790	\$ 124,708	\$ -
Solano County	\$ 115,854	\$ 66,908	\$ 182,762	\$ 182,762	\$ 29,106	\$ 153,656	\$ -
Sonoma County	\$ 115,854	\$ 206,243	\$ 322,097	\$ 322,097	\$ 51,005	\$ 226,822	\$ 44,270
South Bay	\$ 115,854	\$ 185,425	\$ 301,279	\$ 670,684	\$ 110,676	\$ 376,360	\$ 183,648
Stanislaus County	\$ 115,854	\$ 162,090	\$ 277,944	\$ 179,146	\$ 16,139	\$ 150,615	\$ 12,392
Tulare County	\$ 115,854	\$ 30,017	\$ 145,871	\$ 328,217	\$ 36,240	\$ 242,944	\$ 49,033
Ventura County	\$ 115,854	\$ 201,693	\$ 317,547	\$ 317,547	\$ 51,905	\$ 265,642	\$ -
Verdugo	\$ 115,854	\$ 121,132	\$ 236,986	\$ 236,986	\$ 40,289	\$ 196,697	\$ -
Yolo County	\$ 115,854	\$ 55,386	\$ 171,240	\$ 171,240	\$ 51,329	\$ -	\$ 119,911
Statewide Total	\$ 6,842,700	\$ 10,264,050	\$ 17,106,750	\$ 19,632,204	\$ 4,629,266	\$ 10,830,359	\$ 4,172,578

Priorities for Rapid Response Competitively Funded Projects Funding Approach

Beginning with Program Year (PY) 2004-05, the State will award a portion of the Rapid Response reserve funds for Rapid Response Allowable Activities special projects. For PY 2004-05, approximately \$3,000,000 is available. The competitive solicitation for proposals for these funds will be issued as a separate directive.

The State will rate proposals for this funding based on the following factors:

WIA and Administrative Requirements

All proposals for allowable rapid response funding must conform to Workforce Investment Act (WIA) Rapid Response allowable activities (20 CFR 665.320).

Each Local Workforce Investment Area (LWIA) may only receive one Rapid Response Allowable Activities special project grant. Each grant will not exceed \$250,000. Proposals that the State rates highly will be funded. The State will reserve as Additional Assistance any funds not awarded from this segment of Rapid Response funding.

Return on Investment (ROI)

As Rapid Response funding is becoming increasingly limited, the State is requiring that each proposal be evaluated for the return on investment. The following factors will be considered for each proposal:

- Past performance regarding the implementation of past Rapid Response “allowable activity” grants
- Effects/benefits/outcomes
- Exportability
- Cost effectiveness
- Sustainability

State Priorities

The Governor has adopted the following priorities, recommended by the California Workforce Investment Board, for use in awarding 25 Percent Rapid Response Allowable Activities grants in PY 2004-05.

- Lay-off aversion—Funding to develop plans to identify and assist employers at risk of layoffs due to competitive factors.

- Local areas identify partnerships with private organizations that provide job training, including employers and/or private training providers, in order to leverage training opportunities for clients and minimize duplication of training efforts.

Local areas establish partnerships with private organizations, such as employers, economic development organizations and Chambers of Commerce, to gather information on changing workforce needs due to changes in the economy to ensure that the WIA funded training is current and relevant.

Innovation—Projects funded under this category are intended to support innovative efforts to expand or redesign local rapid response systems to become more responsive to local businesses-large and small.

Small Business Services—As the majority of California's workforce is employed by small businesses, it is not feasible to provide on-site service to all California businesses that employ less than 10 workers. Therefore, innovation will be required to serve California's small businesses in a systematic manner.

Regional Impact—Projects under this category are intended to support efforts focused on regional industries and labor markets that are identified through funded endeavors (Regional Economies Project, local grants, etc.) as emerging, critical, and/or changing.

25 Percent Additional Assistance Funding Approach

Additional Assistance is state support to Local Workforce Investment Areas without adequate dislocated worker resources to address the effects of disasters, mass layoffs or plant closings or other events that precipitate substantial increases in the number of unemployed individuals. These funds provide opportunities to individuals for the mutual benefit to their quality of life and continuance of the economic growth and recovery of California's regional economies.

Beginning Program Year (PY) 2004-05, the State will award Workforce Investment Act (WIA) 25 Percent funds for Additional Assistance as needed based on the following factors:

WIA Legal and Administrative Requirements

A Local Workforce Investment Area (LWIA) may request WIA Dislocated Worker 25 Percent Additional Assistance funds when it does not have other resources to provide direct services to workers affected by mass layoffs, facility closings or natural or other disasters.

To receive funding, the LWIA must complete an application and submit it to the Employment Development Department (EDD). In the application, the LWIA describes the events that have led to the unmet demand for service by the dislocated workers in the local area, the services to be provided, and why existing resources are not adequate to meet the need.

Return on Investment (ROI)

As training funds become increasingly limited the California Workforce Investment Board (CWIB) is requiring that each proposal be evaluated for the return on investment. The following are the factors for consideration:

- Number of WIA eligible dislocated workers to be served;
- Number of who will receive training and the types of training to be provided;
- Average cost per participant;
- Number of participants who will enter employment following training;
- Number of participants who will retain employment for at least six months;
- Projected earnings change after employment;
- Past performance regarding the delivery of dislocated worker services, and
- Past performance on WIA 25 percent grants.

Governor's and CWIB's Priorities

Based on the recommendation of the CWIB, the principal use of the Additional Assistance funds will be to provide the training and services needed by those losing their employment when these needs cannot be met through the dislocated worker funds that are allocated by formula to the LWIA.

The CWIB has also identified the following three priorities that will enhance the continuance of the economic growth and recovery of California's regional economies. Proposals that benefit both the individual and one or more of these priorities are more likely to be funded.

1. Growth Industries—High Wage, High Skill Job Training

Projects in this category will be designed to prepare dislocated workers for high-wage, high skill jobs that help California's businesses succeed and expand. They will address two types of industries: those where current skill shortages are hampering business growth, and those expected to play major roles in the expansion of California's economy, where the hiring of skilled workers for business expansion will be a key priority.

Criteria for projects:

- Target select industry sectors and/or clusters that are significant to the growth and/or stability of the economy. Identify these industries/clusters based on findings from the Regional Economies Project and/or related labor market information.
- Leverage government and private funding from multi-stakeholders. Local areas expand available services through partnerships with other state and federal programs, such as the California Work Opportunity and Responsibility to Kids Act's (CalWORKS) job training and placement efforts and the Small Business Development Center program.
- Exhibit a public-private partnership. Local areas identify partnerships with private organizations that provide job training, including employers and/or private training providers, in order to leverage training opportunities for clients and minimize duplication of training efforts.
- Identify activities that will result in immediate and stable employment for the participants, including on-the-job training.

2. Removing Barriers for Special Needs Populations—Significant segments of California's workers face barriers to achieving and maintaining employment, while many businesses are unable to find both entry-level and skilled workers to fill available jobs. Projects under this category will provide customized services to help

dislocated workers prepare for and gain employment, often in jobs that businesses may otherwise be unable to fill.

Criteria for projects:

- Target special populations that generally have barriers to career advancement (usually underrepresented populations);
 - Upgrade the skill levels of participants for jobs that are in demand.
3. Industries with a Statewide Need—Specific industry sectors, such as health care, have a well-documented shortage of workers. Other sectors, such as bioscience, are experiencing rapid growth that is, in part, dependent upon a skilled workforce prepared to fill the jobs that are being created. These projects will provide the opportunity for dislocated workers to fill specific industry occupations where significant shortages exist, or where such shortages can be projected based on labor market and economic development forecasts.

Criteria for projects:

- Target specific industries that demonstrate a shortage of skilled workers or a high demand for workers.
- Target industries that are crucial to California's economic well being.
- Job training for participants is completed in a limited period of time.

Required Rapid Response Activities

Section 665.310: What rapid response activities are required?

Rapid response activities must include:

<p>(a) Immediate and on-site contact with the employer, representatives of the affected workers, and the local community, <u>which may include an assessment</u> of the:</p> <ol style="list-style-type: none"> (1) Layoff plans and schedule of the employer; (2) Potential for averting the layoff(s) in consultation with State or local economic development agencies, including private sector economic development entities; (3) Background and probable assistance needs of the affected workers; (4) Reemployment prospects for workers in the local community; and (5) Available resources to meet the short and long-term assistance needs of the affected workers.
<p>(b) The provision of information and access to unemployment compensation benefits, comprehensive One-Stop system services, and employment and training activities, including information on the Trade Adjustment Assistance (TAA) program and the North American Free Trade Agreement (NAFTA)-TAA program (19 U.S.C. 2271 et seq.);</p>
<p>(c) The provision of guidance and/or financial assistance in establishing a labor-management committee voluntarily agreed to by labor and management, or a workforce transition committee comprised of representatives of the employer, the affected workers and the local community. The committee may devise and oversee an implementation strategy that responds to the reemployment needs of the workers. <u>The assistance to this committee may include:</u></p> <ol style="list-style-type: none"> (1) The provision of training and technical assistance to members of the committee; (2) Funding the operating costs of a committee to enable it to provide advice and assistance in carrying out rapid response activities and in the design and delivery of Workforce Investment Act (WIA)-authorized services to affected workers. Typically, such support will last no longer than six months; and (3) Providing a list of potential candidates to serve as a neutral chairperson of the committee.
<p>(d) The provision of emergency assistance adapted to the particular closing, layoff or disaster.</p>
<p>(e) The provision of assistance to the local board and chief elected official(s) to develop a coordinated response to the dislocation event and, as needed, obtain access to State economic development assistance. Such coordinated response may include the development of an application for National Emergency Grant under 20 CFR Part 671. (WIA Sections 101(38) and 134(a)(2)(A).)</p>

Allowable Rapid Response Activities

Section 665.320: May other activities be undertaken as part of rapid response?

Yes, a State or designated entity may provide rapid response activities in addition to the activities required to be provided under Section 665.310. In order to provide effective rapid response upon notification of a permanent closure or mass layoff, or a natural or other disaster resulting in a mass job dislocation, the State or designated entity may:

<p>(a) In conjunction, with other appropriate federal, State and local agencies and officials, employer associations, technical councils or other industry business councils, and labor organizations:</p> <ol style="list-style-type: none">(1) Develop prospective strategies for addressing dislocation events, that ensure rapid access to the broad range of allowable assistance;(2) Identify strategies for the aversion of layoffs; and(3) Develop and maintain mechanisms for the regular exchange of information relating to potential dislocations, available adjustment assistance, and the effectiveness of rapid response strategies.
<p>(b) In collaboration with the appropriate State agency(ies), collect and analyze information related to economic dislocations, including potential closings and layoffs, and all available resources in the State for dislocated workers in order to provide an adequate basis for effective program management, review and evaluation of rapid response and layoff aversion efforts in the State.</p>
<p>(c) Participate in capacity building activities, including providing information about innovative and successful strategies for serving dislocated workers, with local areas serving smaller layoffs.</p>
<p>(d) Assist in devising and overseeing strategies for:</p> <ol style="list-style-type: none">(1) Layoff aversion, such as prefeasibility studies of avoiding a plant closure through an option for a company or group, including the workers, to purchase the plant or company and continue it in operation;(2) Incumbent worker training, including employer loan programs for employee skill upgrading; and(3) Linkages with economic development activities at the federal, State and local levels, including federal Department of Commerce programs and available State and local business retention and recruitment activities.

Examples of the Categorization of Rapid Response Activities

Activity	Code	Required	Allowable	Prohibited
Conducting planning meeting with employer	20CFR665.310(a)	X		
Assessing layoff aversion potential	20CFR665.310(a)2	X		
Devising layoff aversion strategies with and employer	20CFR665.320(d)		X	
Conducting layoff aversion activities for employer				X
Providing information about services available in the One-Stops and setting up systems to provide on-site access to information and services	20CFR665.310(d)	X		
Conducting job search assistance and business services workshops				X
Providing training orientation on industry specific opportunities (ex: Biotech)	20CFR665.310(d)	X		
Conducting orientation meeting with employees	20CFR665.310(b)	X		
Providing TAA orientation	20CFR665.310(b)	X		
Delivering/mailling Rapid Response informational materials	20CFR665.310(b)	X		
Coordinating Labor-Management/Workforce Transition Committee	20CFR665.310(c)	X		
Providing resources for food, shelter, clothing and other emergency assistance	20CFR665.310 (not b)/(d)	X		
Attending Regional Roundtable	20CFR665.320(b)/(c)/(d)		X	
Attending conferences	20CFR665.320(b)/(c)/(d)		X	
Collaborating with EDD/LMID to research business activity	20CFR665.320(b)		X	
Training affected workers to upgrade skills for another position in company				X
Reaching out to businesses	20CFR665.320(a)3 or (d)1		X	
Completing UI applications				X
Providing access to CalJobs and SkillsMatch on-site, using company's or mobile facility	20CFR665.310(b)	X		
Enabling participants to register with One-Stop Center on-site	20CFR665.310(b)	X		
Conducting interview technique workshops				X
Conducting resume writing workshops				X
Job fair or information expo at a dislocation event	20CFR665.310(b)	X		
Job fair or information expo not at a dislocation event				X